



The State of New Hampshire  
**Department of Environmental Services**

**Clark B. Freise, Assistant Commissioner**



April 11, 2017

The Honorable Kevin Avar  
Chair, Energy and Natural Resources Committee  
N.H. Statehouse, Room 103  
Concord, NH 03301

**RE: HB 336, An Act relative to relative to standards for outdoor wood-fired hydronic heaters**

Dear Chair Avar and Members of the Committee:

Thank you for the opportunity to comment on HB 336. This bill would update RSA Chapter 125-R to be consistent with recently adopted federal regulations relating to outdoor wood-fired hydronic heaters (OWHHs), also known as outdoor wood boilers. The New Hampshire Department of Environmental Services (NHDES) supports this bill.

NH RSA Chapter 125-R was enacted in 2008 to address unregulated OWHHs. These units, which are used for residential and some commercial heating, can emit smoke and particulate matter at high rates. This quantity of smoke and particulate matter can be a nuisance to neighbors and can negatively affect public health. Currently, RSA Chapter 125-R regulates the siting of OWHHs and bars the sale of OWHHs that do not meet the EPA voluntary emission limitations, known as Phase I and Phase II. As described below, EPA has since adopted mandatory, more stringent standards for new residential OWHHs. Under federal law, only those units which are certified to meet the new standards may be legally sold at retail.

This proposed bill would bring RSA 125-R in line with the new EPA standards by including a definition of "Certified" OWHHs. "Certified" OWHHs are defined as those residential units meeting the emission rates specified in federal regulation (40 CFR part 60, subpart QQQQ) and those commercial units meeting a similarly stringent standard. The proposed bill would also bar all sale or installation of OWHHs that are not Certified. The federal ban on sales of non-compliant residential units became effective on January 1, 2016.

These new EPA-certified OWHHs emit significantly less smoke and particulate matter per hour as compared to older models. NHDES has already reached out to stove retailers in New Hampshire to educate them regarding the federal regulations for new OWHHs and other wood stoves. Passing this bill would align NH law with federal law, would provide certainty and would eliminate any confusion regarding the emission standards.

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Thank you again for the opportunity to comment on HB 336. Should you have further questions or need additional information, please feel free to contact either Craig Wright, Air Resources Division Director ([craig.wright@des.nh.gov](mailto:craig.wright@des.nh.gov), 271-1088) or Evan Mulholland, Air Resources Division Compliance Bureau Administrator ([evan.mulholland@des.nh.gov](mailto:evan.mulholland@des.nh.gov), 271-0882).

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Freise', with a stylized flourish at the end.

Clark B. Freise  
Assistant Commissioner

cc: Sponsor of HB 336: Representative Richard McNamara